

Message Text

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12

ACTION EB-07

INFO OCT-01 EA-07 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

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FM AMEMBASSY JAKARTA

TO SECSTATE WASHDC PRIORITY 2903

LIMITED OFFICIAL USE JAKARTA 2595

E.O. 11652: N/A

TAGS: EAIR, ID

SUBJECT: CIVAIR - US-INDONESIA CIVAIR NEGOTIATIONS

REF: (A) STATE 036313, (B) JAKARTA 1687, (C) JAKARTA 1344

1. I AGREE IT IS ADVISABLE FOR ME TO CONTINUE DIALOGUE WITH SALIM, WITH A VIEW TO GAINING APPROVAL OF AT LEAST SOME OF PAN AM SCHEDULE CHANGES AS WELL AS OF ESTABLISHING OUR CONTINUED REASONABLENESS AND WILLINGNESS TO DISCUSS COMMON PROBLEMS IN AN ATMOSPHERE DEVOID OF WHAT SALIM CALLS "BIG POWER ATTITUDE." IN A FRIENDLY NOTE TO ME FOLLOWING LUNCHEON DESCRIBED IN JAKARTA 1687, SALIM SAID HE APPRECIATED EXCHANGE OF VIEWS AND HOPED WE WOULD CONTINUE TALK IN AN EFFORT TO "FIND THE OPEN WINDOW." I BELIEVE WE SHOULD PURSUE THIS OPENING.

2. I AM RELUCTANT, HOWEVER, TO GO BACK TO SALIM WITH "MODUS VIVENDI" PROPOSAL IN IDENTICAL FORM IN WHICH ADVANCED BY USDEL DURING TALKS (JAKARTA 1344). ALTHOUGH INDONESIAN DELEGATION WAS NOT EMPOWERED TO CONSIDER MODUS VIVENDI, TEXT WAS DISTRIBUTED TO THEM AND IN ALL PROBABILITY REACHED SALIM. FOR ME NOW TO RESURRECT STALE DOCUMENT WHICH GOI REFUSED TO CONSIDER LESS THAN A MONTH AGO MIGHT CAST DOUBT ON MY SERIOUSNESS IN TALKS WITH SALIM. TONE, ALSO, COULD BE IMPROVED.

3. I PROPOSE, THEREFORE, TO REVAMP MODUS VIVENDI IN FORM
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OF A LETTER TO SALIM, PRESENTING IT AS OUR CONSIDERED

RESPONSE TO HIS THOUGHTS EXPRESSED AT OUR LUNCHEON. LETTER WOULD STRESS ADVANTAGES TO GOI OF FIFTH-FREEDOM REDUCTIONS IN PROPOSED PAN AM SCHEDULE CHANGES (A POINT ON WHICH I DO NOT BELIEVE SALIM HAS FOCUSED), AND CAST THESE IN LIGHT OF ATTEMPT ON OUR PART TO MEET GOI CONCERNS. IN VIEW OF SALIM'S SENSITIVITY TO PAN AM ALL-CARGO FLIGHT, MOREOVER, I BELIEVE OPERATION OF THIS SHOULD BE CONDITIONED UPON RECIPROCITY. PROPOSED TEXT FOLLOWS:

"DEAR MR. MINISTER:

SINCE OUR LAST DISCUSSION I HAVE BEEN EXAMINING WITH THE AUTHORITIES IN WASHINGTON HOW WE MIGHT MOST EASILY RESOLVE CURRENT U.S.-INDONESIAN CIVIL AVIATION QUESTIONS. AS A RESULT OF THAT EXAMINATION, I SHOULD LIKE TO PRESENT TO YOU CERTAIN IDEAS.

THE UNITED STATES IS AWARE THAT CIRCUMSTANCES HAVE CHANGED SINCE THE U.S.-INDONESIAN AIR TRANSPORT SERVICES AGREEMENT OF 1968. CIVIL AVIATION FACILITIES HAVE EXPANDED CONSIDERABLY IN INDONESIA. WE RECOGNIZE ALSO THAT CIVIL AVIATION RELATIONSHIPS WITH NEARBY COUNTRIES HAVE BECOME A MATTER OF IMPORTANCE TO INDONESIA.

THE UNITED STATES CONTINUES TO RECOGNIZE THE VALIDITY OF OUR BILATERAL AGREEMENT AND HAS REGRETTED THAT WE HAVE NOT MUTUALLY BEEN ABLE TO FIND WITHIN IT A BASIS FOR CONTINUING COOPERATION. WHILE THE TERMINATION OF THE AGREEMENT IS, OF COURSE, POSSIBLE IN THE LIGHT OF ARTICLE 14, I THINK WE BOTH AGREE THAT IT WOULD BE PREFERABLE TO FIND A BASIS FOR RESOLVING PRESENT ISSUES WITHOUT TAKING THAT STEP. I AM, THEREFORE, AUTHORIZED TO SUGGEST THAT WE SEEK TO REACH AGREEMENT ON COOPERATION FOR THE NEXT 12 MONTHS IN ORDER TO PERMIT TIME FOR FURTHER CONSIDERATION OF A LONGER TERM AGREEMENT.

GIVEN THE DESIRE OF GARUDA INDONESIAN AIRLINES TO BEGIN ITS SERVICE TO LOS ANGELES BY AUGUST 1976, WE WOULD AGREE THAT THE COMMENCEMENT OF SUCH SERVICE WOULD BE PART OF AN OVERALL TEMPORARY UNDERSTANDING. THIS WOULD BE ON A ROUTE FROM INDONESIA TO HONOLULU AND LOS ANGELES, WITH A NON-TRAFFIC STOP AT GUAM.

IT WOULD BE FURTHER AGREED THAT PAN AMERICAN LIMITED OFFICIAL USE

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AND GARUDA COULD EACH OPERATE UP TO FOUR COMBINATION AND ONE ALL-CARGO FREQUENCIES EXPRESSED IN TERMS OF NARROW-BODIED AIRCRAFT. (IF WIDE-BODIED AIRCRAFT ARE USED THE SUBSTITUTION RATIO WSLD BE TWO FOR ONE.)

TAKING NOTICE OF YOUR POSITION ON FIFTH-FREEDOM RIGHTS, WE WOULD PROPOSE TO REDUCE BY HALF PAN AMERICAN FREQUENCIES WHICH CURRENTLY INVOLVE SUCH RIGHTS. UNDER THIS ARRANGEMENT, THE FOUR PAN AMERICAN FREQUENCIES

WOULD CONSIST OF TWO SAN FRANCISCO-HONOLULU-GUAM-JAKARTA (WITHOUT FIFTH-FREEDOM) AND TWO U.S.-FIJI-NEW ZEALAND-AUSTRALIA-DENPASAR-HONGKONG (WITH FIFTH-FREEDOM).

IT WOULD BE FURTHER UNDERSTOOD THAT SCHEDULE CHANGES ON THE FOREGOING ROUTES CONSISTENT WITH THE NUMBER OF FREQUENCIES AGREED TO COULD BE MADE BY NOTIFICATION TO THE APPROPRIATE AUTHORITIES.

IN VIEW OF OUR EARLIER DISCUSSION WITH RESPECT TO ALL-CARGO FLIGHTS, IT WOULD BE AGREED THAT SUCH FLIGHTS WOULD ONLY BE COMMENCED ON A FULLY RECIPROCAL BASIS.

I WOULD HOPE THAT YOU WOULD FIND IN THE FOREGOING SUGGESTIONS A BASIS FOR A SATISFACTORY INTERIM UNDERSTANDING. I STAND READY TO DISCUSS THESE WITH YOU AT YOUR CONVENIENCE."

4. WOULD APPRECIATE DEPARTMENT'S REACTION TO FOREGOING.

5. WITH REGARD TO PARA 4 OF STATE'S 036313, SALIM'S POINTS WHILE BROADLY ERRONEOUS ARE NOT ENTIRELY WITHOUT FOUNDATION. WHEN GARUDA FIRST MADE ITS INTEREST KNOWN IN SERVING U.S., EMBASSY (ON INSTRUCTIONS FROM DEPARTMENT) DID ADVISE IT TO SUBMIT APPLICATION PROMPTLY SINCE PROCESSING IN SUCH CASES COULD TAKE AS LONG AS A YEAR. ON SECOND DAY OF TALKS, USDEL DID OFFER TWO COMBINATION NARROW-BODIED FLIGHTS FOR GARUDA IN RETURN FOR FOUR FOR PAN AM (JAKARTA 1201, PARA 3). INDONESIAN DELEGATION EVIDENTLY TOOK THIS PLOY SERIOUSLY (ALTHOUGH OF COURSE IT WAS NOT OUR FINAL OFFER); IT IS THIS TO WHICH SALIM WAS REFERRING, NOT SUBSTITUTION RATIO.

6. SALIM'S FEBRUARY 2 PRESS CONFERENCE REFERENCE TO MOVING TALKS TO "HIGHER LEVEL" WAS MADE IN ANTICIPATION OF HIS LIMITED OFFICIAL USE

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CONVERSATION WITH ME (JAKARTA 1687). HE STILL REGARDS THIS AS CHANNEL FOR CONTINUING THE DIALOGUE. IF SOME PROGRESS NOT MADE, HOWEVER, HE COULD WELL DECIDE TO RAISE SUBJECT IN WASHINGTON JOINT CONSULTATIONS, AS INDONESIAN EMBASSY COUNSELOR SUGGESTS.
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